IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

Bail Appl..No. 1297 of 2007()

CRIME NO.186/06 OF NORTH PARAVUR POLICE STATION

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PETITIONER :

SABU, AGED 23 YEARS
S/O.KUNJUMUHAMMED,
EDATHATTIL VEEDU,
VANIYAKKADU,
N.PARAVOOR

BY ADV. SRI.RAJIV NAMBISAN

RESPONDENTS:

STATE OF KERALA REPRESENTED BY
GOVT. PLEADER, HIGH COURT OF KERALA,
ERNAKULAM

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1297 OF 2007 B

Dated this the 9th day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 2nd accused in Crime No.186/06 of North Paravur Police Station for offences punishable under Secs.395, 411 and 201 I.P.C., seeks his enlargement on bail. The occurrence took place at about 10.15 p.m. on 18.3.2006. The petitioner surrendered before the Magistrate on 20.12.2006 and was remanded to judicial custody where he continues.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at the ill fated night while the de facto complainant and his wife were returning from the petrol pump run by them with the day's collection, the de facto complainant was robbed of cash worth Rs.2,20,295/- and his wife was robbed of cash worth Rs.25,000/- and her gold chain weighing 3 sovereigns.

3. Considering the duration of judicial custody of the petitioner and also the fact that the first accused in the case has been granted bail by this court, I am inclined to grant bail to the petitioner but on appropriate conditions safeguarding the interest of the prosecution as well. Accordingly, the petitioner is directed to be released on bail on his

executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., North Paravur and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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